

# **MINUTES**

**320th Meeting Contractors' Registration and Licensing Board June 08, 2016**

**1. The meeting began with the pledge of allegiance to the flag of the United States of**

**America, led by: George Whalen, the Board's, Executive Director.**

**2. The meeting was called to order by the Chairman, Edgar Ladouceur, at**

**12:46 PM.**

**3. Approval of the agenda and order of business was accepted on a motion by Mr. Eric**

**Wishart and seconded by Mr. Tom Furey.**

**4. The minutes of the 319th meeting, May 11, 2016, were approved on a motion**

**by; Mr. David Caldwell and seconded by Tony Raposo and Eric Wishart.**

**5. Review of pending issues with Code Officials from Rhode Building Officials**

**Association: No members were present but the Executive Director**

**informed the**

**Board that the Building Code Commission should be going live soon with E-**

**Permitting and the new codes were delayed pending review by Office of Regulatory**

**Review, new date to implement still pending.**

**Welcome to the National Construction Authority from Nairobi, Kenya. The National Construction Authority sent a delegation of three people to visit our Board to see how we operate and what our process is and how they can learn from us. They wanted to see how our Dispute Resolution process works and see and learn from their experience in the Ocean State. Members of their Departmental Committee on Transport, Public Works and Housing members of Parliament are also scheduled to visit this month.**

**Introduction and Brief Discussion from Cheryl Burrell, Dorinda Keene, and Sabina Matos on M.B.E. Program and other issues. A short presentation was conducted as to minority business enterprise program, the criteria, certifications needed and applicability. Dorinda and Sabina were present and provided the Board with a wealth of information.**

**Introduction of New Intern: Roberto Moreno Sr., a student at URI will be working at the Board a couple of days a week for the summer.**

**1. Court Case Update: May 2016 - Funds Received Via CRB:**

**Contractor Claim/File Fines Restitution**

**R. Barcellos 4887 - \$200 (payment plan)**

**M. Valentino 6070 - \$1,375 (paid in full)**

**J. Ribeiro 7050 - \$10 (payment plan)**

**J. Pearson 7186 - \$250 (payment plan)**

**J. Ribeiro 7478 - \$10 (payment plan)**

**J. Ribeiro 7499 - \$10 (payment plan)**

**J. Ribeiro 7500 - \$10 (payment plan)**

**J. Joaquin 8021 - \$250 (payment plan)**

**P. Walsh 8030 - \$500 (payment plan)**

**M. Feole 8255 - \$500 (payment plan)**

**S. Lawrence 8369 - \$60,000 (paid in full)**

**M. Warhurst 8379 - \$1,000 (payment)**

**W. Cinquegrano 8471 - \$200 (payment plan)**

**B. LaFleur 8481 - \$1,525 (paid in full)**

**J. Cruz 8586 - \$1,900 (paid in full)**

**R. Rome 8666 - \$390 (payment plan)**

**D. Antonucci 8687 - \$2,000 (payment plan)**

**S. St. George 8776 - \$200 (payment plan)**

**TOTALS: \$ 0.00 \$ 70,330.00**

**Upcoming/Recent court dates:**

**05/25/16-PTC-Barry LaFleur, Claim #8481, 61-2016-02894, paid full \$1,525**

**restitution to homeowner to have case dismissed; 6/20/2016, Motion to Expunge**

**06/08/16-PTC- Yazmarelis Cepeda, 61-2015-09241, on appeal P3-2016-0286A**

**06/10/16-PTC- Joseph Ellis, Claim #8326, 61-2016-04170**

**06/15/16- Arraignments: Vaughn Allen, Claim #8494**

**06/16/16-PTC- Christopher Sarault, Claim #7192, 61-2016-01567**

**06/23/16- PTC- John Toolan, Claim #8501, 61-2016-05440**

**06/28/16-PTC- Francis Martin, Claims #8394, 8416, 8417, 61-2016-01566**

**07/11/16-Disposition- Donald Marcotte, Claim #8574, 61-2016-02895**

**Outstanding Warrants:**

**Joshua Genereux (61-15-04113 and 61-15-04097) (1) 11 Reservoir Ave, Manville RI; (2) 2327 Putnam Pike, Chepachet RI; (3) 147 Sayles Street, Woonsocket RI**

**Otto De Jesus Mendoza Lopez, 121 Bradford St., Bristol RI 02809 (61-2014-06804)**

**Olksiy Dubovy (1) 160 Pidge Avenue (2) P.O. Box 5521, Pawtucket, RI 02861**

**Greg Theisler, Claim #8477, 61-2016-04169 (MO requested pickup 6/7/16)**

**Administrative Appeals: Stephen Colucci/Colucci Brothers v. CRB**

**6. Consideration of Motions: None**

**7. Consideration of Cases on Appeal and Oral Argument:**

**1. 12:50 PM Claim #8685 Angela Aurelio vs. Ace Wood Flooring Inc., Troy Hewes,**

**Registration #25742, Exceptions filed by contractor.**

**Exceptions were filed by the contractor. Both parties were in attendance and much**

**discussion transpired as to the reason the contractor felt his due process rights were**

**denied. After more questions from the Board members to the contractor and the**

**opportunity for the homeowner to provide testimony a motion was made by Paul**

**Brunetti and seconded by Carol O'Donnell to uphold the decision rendered by the**

**hearing officer. The motion was called by the chair and matter passed unanimously.**

**8. Consideration of Request for Expungement:**

**1:15 PM Lavallee Bros Construction Inc., Paul Lavallee, Registration #27539, request to expunge claim #5759. After notice and opportunity to attend the meeting, contractor failed to show and a motion was made by Eric Wishart and seconded by Tony Raposo to deny request**

for expungement. Motion was called by the chair and was unanimously denied.

1:20 PM Westway Construction Inc., Robert West Jr., Registration #16987,

request to expunge claim #2855. After notice and opportunity to attend the meeting,

contractor failed to show and a motion was made by Eric Wishart and seconded by

Tony Raposo to deny request for expungement. Motion was called by the chair and

was unanimously denied.

9. Education: Review of all applications received and courses submitted for

Approval: None

10. Report of the Executive Director and Staff:

(1) Statistics Report: 06/08/2016

Registrations:

Number of Registered Contractors 11809

Number of Cards Surrendered 4863

Number of Cards Expired/Lapsed 10542 Number of Cards  
Invalidated 1704

Number of Cards Suspended 515

Number of Cards Revoked 128

### Registration Actions

Number of New Registered Contractors 66

Number of Renewed Contractors 11743

Number of Cards Surrendered 25

Registrations Invalidated 1

Registrations Suspended 2

Registrations Revoked 0

### Claims:

Administrative Appeals 2

Board Appeals 1

Address Traces 92

Court

559

Awaiting Further Action 29

Disposed 289

Final Orders 35

Hearings 33

Out of State Services 12 Proposed Orders 148

<b>Under Investigation</b>		<b>104</b>
<b>Total Claims Filed with the Board</b>	<b>8362</b>	
<b>Number of New Claims Processed</b>	<b>21</b>	
<b>Total Disposed Claims to date</b>		<b>7294</b>

**Violations:**

<b>Action Against Registration</b>	<b>50</b>	
<b>Advertising</b>	<b>3</b>	
<b>Cancelled Insurance</b>		<b>1348</b>
<b>Notice of Hearing</b>	<b>3</b>	
<b>Non-Registered Contractor</b>		
<b>953</b>		
<b>TOTAL RECORDS</b>	<b>2383</b>	

**Number of New Violations**      **12**

**Lapsed Registrations/Never Re-Newed:**

<b>April</b>	<b>2015</b>
<b>79</b>	
<b>May</b>	<b>2015</b>
<b>56</b>	
<b>June</b>	<b>2015</b>
<b>68</b>	



July	2015
51	
August	2015
57	
September	2015
48	
October	2015
68	
November	2015
73	
December	2015
59	
January	2016
62	
February	2016
46	
March	2016
76	
April	2016
154	
May	2016
172	
Month	# Tickets Issued
Fines	

January 2015	3
\$1,250.00	
February 2015	1
\$ 500.00	
March 2015	1
\$ 250.00	
April 2015	3
\$2,250.00	
May	1
\$ 250.00	
June	3
\$ 750.00	
July	6
\$3,000.00	
August	1
\$ 250.00	
September	0
October	2
\$ 600.00	
November	2
\$ 750.00	
December	1
\$ 1,000.00	
January	0
\$ .00	
February	2

**\$ 500.00**

**March 7**

**\$ 2,000.00**

**April 6**

**\$ 2,000.00**

**May 4**

**\$3,000.00**

**June 1**

**\$1,000.00**

**Commercial Roofers:**

**Number of Registered Roofers**

**143**

**Number of New Registered Contractors 2**

**Number of Renewed Roofer Contractors 141**

**Number of Cards Surrendered 26**

**Number of Expired/Lapsed 86 Registrations Invalidated 1**

**Registrations Suspended 0**

**Registrations Revoked 0**

**12. Old Business:**

**(1.) Regulations, laws and standards were the topic of discussion.  
Home Inspectors rules and regulations are proceeding and hopefully**

only one more meeting will be necessary to complete this process so it can go to the Board, Regulatory Reform and Public Hearing. Status of the Commercial Roofers Regulations is still was pending completion of the forms and Regulatory Review.

### **13. New Business:**

**Board Member:** The Board request to fill the Home Inspector position vacated on the Board is still pending.

**Budget:** In this year's budget a budget initiative was submitted by DOA to increase its billing of its centralized services (CMM and HR). The changes will assess the allocation of cost to the Boards Account in the amount of \$20,230.00 If passed the billing of these services would commence in FY 2017. Matter is still pending.

**Computer Program Update:** We are currently testing the system and still finding some bugs that need to be worked out. We are progressing but with staff shortages it has been a very slow process. This process needs to be completed soon.

**Positions:** Enforcement Aide position was hired and we have a new employee, Jessica Murphy who started on May 15th.and the Sr. State Official Position was also put into the system and interviews conducted pending approval.

**Legislation: A number of bills were submitted and discussed:**

**H-7085 Matter in committee held for further study.**

**H-7402 Board members to attend hearing on this bill today in support.**

**H-7403 Board members to attend hearing on this bill today in support.**

**H-7253 & S-2163 Matter in committee held for further study.**

**H-7305 Matter in committee held for further study.**

**S-2213 Matter in committee held for further study.**

**H-7868 as amended was signed into law by Governor for commercial water filtration/treatment. S-2854 was signed by the Governor for RICRLB jurisdiction on residential water filtration/treatment.**

**H-7305 requiring Home inspectors to have increased insurance passed committee.**

**S-2770 as amended sister bill to H-7868 was also signed by the Governor.**

**H-8286 bill to establish a study commission was submitted for consideration.**

**Retention Schedule: The Board tabled this matter and the Executive Director would like to see this modification made after all the new rules and regulations have been established so it doesn't have to be modified after each change. Keep on the Agenda.**

**Licensing: Discussion as to moving onto licensing of contractors bill**

**was submitted.**

**Prosecution: The Board wants the Executive Director to look into the feasibility of hiring a third party collection agency to retrieve fines assessed by the Board. Further investigation into this matter is being conducted. Collection of fines for board should be pursued by the courts. A motion was made by David Caldwell and seconded by Carol O'Donnell to pursue the fines in court. Motion was called by chair and unanimously carried.**

**Liens on Property: Board to continue to pursue best way to put lien on property as well as surety bond for contractors.**

**Budget: Contractor's Registration Board Cash Flow 2016**

**Beginning Balance Forward \$368,635**

**Receipts 1,270,564**

**Expenditures 979,688**

**Ending Balance \$659,511**

**Expenditures through May 31, 2016**

**Projected Registrations and Renewals**

Type	FY 2016	FY 2017
Commercial Roofer New Reg.	\$2,600	\$-
Commercial Roofer Renewals	18,800	22,000

<b>Contractor New Registration</b>	<b>238,600</b>	<b>-</b>
<b>Contractor Renewals</b>	<b>785,500</b>	<b>1,038,200</b>
<b>Fines and Fees</b>	<b>83,109</b>	<b>50,000</b>
<b>Total</b>	<b>\$1,128,609</b>	<b>\$1,110,200</b>

**14. Public Comment: None**

**15. Announcements: The next Board meeting will be held on Wednesday, July 13, 2016 at 12:30 PM, Conference Room “A” 2nd Floor; One Capitol Hill, Providence, Rhode Island.**

**16. Adjournment: A motion was made by Eric Wishart and seconded by Dave Caldwell to adjourn the meeting at 3:15 PM.**

**Members Present: Paul Brunetti, Tom Furey, Michael Fox, William Geddes, Tony Raposo, Edgar Ladouceur, Annette Stockley, Carol O'Donnell, David Caldwell, Eric Wishart, and Mathew Olson.**

**Members Absent: Kimberly Wooten**

**(resigned), Alfred DeCorte, Carol Ann**

**Nelson, Martin Ezeama, Ron**

**Caniglia and J. L. Brillon.**

**Others Present:  
Director), Attorney Mariana**

**George Whalen (Executive**

**Ormonde, parties for  
appeal, special guests, stenographer and**

**staff.**

**Respectfully Submitted,**

**George W. Whalen**

**Executive Director**

**Rhode Island Contractors' Registration and Licensing Board**